therefore suggested that, so far as retail vendors were concerned, they might be permitted to keep in stock that quantity of tobacco which they were bound to sell under the license every month, that the licenses should be issuable only by the Circle Officers and that such licenses should be freely given to all except those who had been convicted of an offence involving moral turpitude. He also stated that the fee of Rs. 5, charged on each license for wholesale vend, sat heavily on the licensees and that the same should be done away with.

The next amendment suggested by the Member was in clause 8 of Rule 60, which laid down that a licensed wholesale vendor might purchase the tobacco required for sale in his shop from another licensed wholesale vendor, provided that the shops of both were situated within the same taluk. The Member observed that there was no rule fixing the places where licenses for wholesale vend should be taken. That being so, there might be no wholesale licensees at all in some taluks. Further, there was no restriction as to the price of tobacco to be fixed by the wholesale licensees. To make tobacco freely available to the public and in the best interests of trade, the restriction as to taluk should be removed.

As regards the levy of duty on excess of deficiency exceeding 15% as compared to the quantity mentioned in the permit, the Member said that the duty should be payable only on the quantity actually found on weighment at the customs house and that Rules 21 and 28 should be amended accordingly.

In the interests of trade, the restriction that the importer himself should be present at the chowkey of import should be relaxed by permitting the agent of the importer to transact business at the chowkeys.

According to clause 13 of Rule 33, Jaffna tobacco should pay a godown rent of half an anna per bale for a month or any fraction thereof, and Coimbatore and Tinnevelly tobacco should pay one and a half anna. The Member stated that, as regards the latter rate, a uniform fee of As. 2 per bale might be levied as godown charges.

The Member assured the Government that the adoption of the amendments proposed by him would not affect the Government revenue from the sale of tobacco, and he therefore prayed for the rules being duly modified.

Dewan's reply.—The Member's remarks will be referred to the Excise Commissioner for report.

III.—PROTECTION.

(1) Legislation.

17. The necessity for reforming the constitution of the Legislative Council and allowing the non-official Members the right of interpellation and of discussing the State Budget.

Mr. C. Raman Tampi, B. A., B. L. (Member, Quilon taluk) said that the subject of his representation was one that had been pressed on the attention of the Government in the second, fourth and the sixth to the tenth sessions of the Assembly, and the supreme importance of the question was his excuse in bringing it up again for consideration. In his view, it was high time that the Government took up the question of reforming the Legislative Council. A reference to the Unrepealed Regulations of the State would show that, in the case of all statutes which provided for contributions to the State such as the Abkari, Tobacco, Civil Courts, Stamp, Court-fees, Alleppey Port dues and Forest Regulations, frequent amendments had been made, and it was a distinct feature of the amendments that each succeeding Regulation made greater demands from the public tax-payer than its predecessor. In thus increasing the taxes and burdens, the people had absolutely no voice. Though in democratic countries the principle was always recognised that there should be no taxation without representation, still in Travancore the desire on the part of the people to be at least consulted in such matters was certainly legitimate. The Legislative Council Regulation was

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amended only once, *viz.*, in 1073, and the amending Regulation only raised the maximum number of members from 8 to 15, which necessitated a corresponding increase in the number of non-official members. It was noteworthy that the Legislative Councils in other Native States and in the British Indian Provinces had been modified in material respects. In point of education, Travancore was ahead of other Native States and the British Indian Provinces. The Towns Conservancy and Improvement Regulation, which initiated the people in the art of local self-government, had been in force since 1069 and the Government had thought it proper to extend its scope to various parts of the State. The Sri Mulam Popular Assembly itself had now been in existence for eleven years. Successive Dewans, who had presided over the deliberations of the Assembly, and the leading journals, had unanimously heaped praises on the people of the country for the marvellous degree of discretion, moderation and level-headedness displayed in the discussion of important and difficult questions. The Member asked whether the above circumstances were not sufficient to justify the Government in placing greater confidence in the people. For the past 27 years the Council had been confining itself to the work of passing a number of Regulations. The Member said that it was high time to alter the constitution of the Council. The power to discuss the annual Budget and the right of interpellating the Government on important administrative questions should be given to the Council. The Popular Assembly by its very constitution was not fit to meet those demands. Moreover, it met only once in a year. The right of interpellation should be exercised often and it should be coupled with the privilege of asking supplementary questions. At present the Government collected the revenues and spent them in their own way, and only gave an account of the transactions to the Assembly. The subsequent discussion, after the expenditure had been incurred, was of no practical value. The grant of the right of discussing the Budget to the people would have the wholesome effect of removing all doubts and misgivings about the action of the Government.

If the Government should think it advisable to alter the constitution of the Council, he submitted that the strength of the Council should be raised to 21 members, with a non-official majority of 11 including the elected and nominated members. The chances of combined opposition to the Government by the non-official members were very small. But if eleven educated and cultured representatives should think alike in any particular matter, the Member thought that it was incumbent on the Government to yield to the popular will. If considered necessary, power might be reserved to veto any measure in a contingency of the kind above referred to by the Royal Prerogative. Already the Regulation contained sufficient safe-guards in Section 12 about certain subjects which should not be brought up for discussion in the Council. Similar precautions might be taken in the enlarged Council also. If his proposals were accepted, he suggested that there should be one member for each of the five revenue divisions, one to represent the jenmies, one for the trading classes and one for the planting community. The remaining seats should be utilised by the Government to make nominations, so that interests not adequately represented in the Council might be safeguarded.

To the possible question whether, in the present conditions of the country, it was advisable to have separate electorates for separate communities, the Member said that, in British India, when the Council reform was taken up, all public bodies expressed their opinion and the consensus of opinion was in favor of separate electorates. In the ninth session of the Assembly, he had suggested the means of keeping out of the difficulties incidental to special electorates. In the nature of things, it was not necessary that the Government should themselves subscribe to and recognise the principle of class representation. On the other hand, if any important section of the subjects of the State were anxious to have their elected members in the Council, their wishes also should be respected and due provision made for the satisfaction of their desire. Referring to the complaint raised that, on all the five occasions when the right of electing members to the Legislative Council was exercised by the Assembly Members, the election was from one particular community, the Member said that it was a mere accident and could not be attributed to any deep-seated

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conspiracy on the part of the members of the Assembly to keep out other communities. But, in any case, complaints of the kind had to be faced, and in considering such an important measure, even the needs of the minorities had to be respected as far as possible. He therefore proposed that the Popular Assembly members should continue to elect members to the Council. As regards the tax qualification prescribed for the voters, he said that there was truth in the representation that a particular community might not own sufficient lands the tax on which amounted to Rs. 50, and would not therefore be able to get a large number of votes. He suggested by way of remedy that the qualifications for voters might be lowered to suit the needs of particular communities. Apart from granting such concessions, it was not right that the Government should recognise constitutionally the principle of class representation.

Mr. K. M. Mathulla Mappila (Member, T. I. C., Kottayam) expressed the gratitude of the people to His Highness' Government for the due recognition of popular rights and privileges by the establishment of the Legislative Council, the Town Improvement Committees and the Popular Assembly. The people were also grateful for the extension of their rights in the permission granted to the members of the Assembly to elect a certain number of the non-official members of the Legislative Council as well as for the introduction of the principle of popular election of the non-official members of the T. I. C.'s. The Member requested that, in view of the steady growth of popular representation in the country, the constitution of the Lgislative Council should be enlarged and the several T. I. C.'s in the State permitted to return a certain number of members to represent them in the Council in the same way as in the British Municipalities.

Mr. T. Kumara Pillai (Member, Kalkulam taluk) pointed out how beneficially the right of interpellation was exercised in British India by the members of the several Legislative Councils and how prejudicially the absence of that right had worked in so far as the Travancore Legislative Council was concerned. The Member expressed the hope that his plea for the introduction of the right of interpellation in the Legislative Council would meet with a sympathetic response at the hands of the Dewan, who had had extensive practical experience of the exercise of that right in British India. The Member said that the Government would be better able to ascertain at first hand the wants and wishes of the people through their representatives and to elicit their opinion, by conceding the privilege of interpellation to the members of the Council than by the procedure followed in the Popular Assembly. The representations made by the members of the Assembly were often belated and consequently ineffectual. The proposed popular concession would prove to be an effective check to the vagaries of the subordinate officers of the Government; and the correction of abuses due to the tyranny of departments was the greatest boon that the Government could confer on the people. The concession asked for, the Member added, would have the double advantage of strengthening the Government's hands and opening the means of securing responsible and reliable public opinion. He stated further that the people of the State were educationally ahead of any other province in British India and that the fitness of the people to receive the privilege had been amply demonstrated by the conduct of the Assembly itself. He requested therefore that the question should be considered in a sympathetic way and assured the Government that, if by culture and loyalty any people deserved participation in the administration of their State, the people of Travancore possessed the claim to a pre-eminent degree.

Mr. K. Govinda Pillai (Member, Ettumanur taluk) said that he would ask the Government to permit the discussion of the State Budget in the Legislative Council, not as a matter of right but as an act of grace on the part of the Government. The Councils of British India, Mysore, Baroda and Pudukotta enjoyed the privilege and the Member saw no reason why the same should not be allowed to the Travancore Council. He added that, by granting the privilege, the prerogative of the Government would not be affected in any way; but, on the other hand, the Government would be able to ascertain and profit by the non-official view on matters relating to the several items in the Budget. A Budget approved of by both the official and non-official elements of the Council would undoubtedly command the confidence of the

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public. He therefore requested that, with a view to strengthen the position of the Government and to improve the administration of the State finances, the members of the Legislative Council might be authorised to discuss the Budget, to pass resolutions on the same and to interpellate the Government in matters financial.

Dewan's reply.—Noted.

18. The necessity for a Mahomedan Member in the Legislative Council.

Mr. Shaik Mahomed Hamidani Thangal (Member, Nominated) said that the Mahomedans formed an important section of the subjects of the State, that a Mahomedan Member in the Legislative Council was a desideratum and that the absence of such a member was a source of constant apprehension to his community, lest the Government should enact any law affecting the community without sufficient expert advice. He therefore strongly urged the appointment of a Mahomedan Member in the Council who was proficient in Arabic and Malayalam and that, in the light of the above proficiency, a knowledge of English need not be insisted on as a necessary qualification so far as the Mahomedan Member was concerned.

Mr. Ibrahim Pillai Sayyid Mahomed (Member, Nominated) fully supported Mr. Shaik Mahomed Hamidani Thangal in his request for nominating a member to the Legislative Council to represent the Mahomedan community and said that he had nothing to add to what that member had already stated.

Dewan's reply.—Noted.

19. The necessity for a Jenmi Member in the Legislative Council.

Mr. Iravithayar Pandarathil (Member, Jenmi, Quilon Division) said that, ever since the institution of the Popular Assembly, the Jenmi members had been representing the necessity for appointing a Jenmi Member on the Legislative Council and the Government reply was that the request would be considered. As the landed proprietors of the State, the interests of the jenmies were entitled to the first consideration. In the present condition of education among them, it might not be possible to find a suitable person who also possessed sufficient knowledge of English, and if the Government should consider that as a necessary condition for a membership, he suggested that an English-knowing gentleman from another community, elected by the jenmies, might be appointed as a member of the Council to represent their interests. He prayed that the request might receive the early and sympathetic consideration of the Government.

Dewan's reply.—Noted.

The Assembly adjourned at 5 P. M.

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